



United States Department of the Interior

OFFICE OF THE SOLICITOR
Washington, D.C. 20240

IN REPLY REFER TO:

In reply, please address to:
Main Interior, Room 6456

James Mothershead, Esq.
Assistant Regional Solicitor, Alaska Region
4230 University Drive, Suite 300
Anchorage, Alaska 99501-4626

March 31, 2006

By Regular Mail and Fax to:
907-271-4143

Re: Omar Stratman v. Leisnoi, Inc.
Certification of the Native Village of Woody Island

Dear Mr. Mothershead:

The purpose of this letter is to provide you with a report as to the current status of the Secretary's review of the certification of the Native Village of Woody Island, Leisnoi, Inc.

Previously, I advised you that our office had finalized and sent forward to David Bernhardt, the Deputy Solicitor, a briefing package and a draft recommended decision for the Secretary's consideration. Subsequent to our sending the briefing package and draft recommended decision to Deputy Solicitor Bernhardt, the Senate held hearings on his confirmation as Solicitor and the Secretary appointed Carl Artman from Wisconsin as the new Associate Solicitor - Indian Affairs. We have briefed Mr. Artman on the package and we have met with the Deputy Solicitor to discuss the package and the draft recommended decision.

On Friday, March 10, 2006, Secretary Norton announced her resignation to take effect at the end of the month. The Secretary has not decided this matter and will not decide it by the time her resignation becomes effective later today. Following Secretary Norton's announcement, President Bush did, however, announce on March 16 his nomination of Governor Dirk Kempthorne of Idaho to replace her. We do not currently know when the Senate will schedule confirmation hearings on Governor Kempthorne's nomination. Until Secretary Norton's replacement is confirmed, Deputy Secretary P. Lynn Scarlett will serve as the Acting Secretary.

In light of the fact that the President has already nominated Secretary Norton's replacement, we would anticipate that Deputy Secretary Scarlett will defer taking any immediate action on the

Letter to James R. Mothershead, Esq.

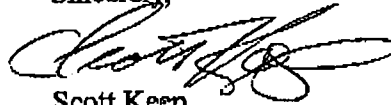
Re: *Omar Stratman v. Leisnoi, Inc.* and Certification of the Native Village of Woody Island

Page 2

draft recommended decision. If it appears that Senate action on the President's nominee will be delayed, we will raise with the Deputy Secretary, the need for action on this matter.

If you have any questions, please don't hesitate to contact me.

Sincerely,



Scott Keep

Assistant Solicitor

Branch of Tribal Government and Alaska

Division of Indian Affairs

cc: By Regular Mail and Fax to:

Michael Schneider, Esq.

880 N Street

Suite 202

Anchorage, AK 99505

Counsel for Omar Stratman

Fax 907-274-8201

John R. Fitzgerald, Esq.

McAlpine, Peuler & Cozad

701 South Peters Street

Suite 300

New Orleans, LA 70130

Co-counsel for Native Village of Woody Island/ Leisnoi, Inc.

Fax 504-528-9442

William P. Horn, Esq.

Roy S. Jones, Esq.

Birch, Horton, Bittner & Cherot

1155 Connecticut Avenue, N.W.

Suite 1200

Washington, D.C. 20036

Co-counsel for Native Village of Woody Island/ Leisnoi, Inc.

Fax 202-659-1027

Letter to James R. Mothershead, Esq.
Re: *Omar Stratman v. Leisnoi, Inc.* and Certification of the Native Village of Woody Island
Page 3

R. Collin Middleton, Esq.
Middleton & Timme, P.C.
421 West First Avenue
Suite 250
Anchorage, Alaska 99501
Counsel for Koniag, Inc.

Fax 907-276-8238

Bruce Landon, Esq.
U. S. Department of Justice
Environment & Natural Resources Division
801 B Street, Suite 504
Anchorage, AK 99501-3657

Fax 907-271-5827



United States Department of the Interior

OFFICE OF THE SOLICITOR
Washington, D.C. 20240

TRANSMISSION NOTICE

TO: Michael Schneider, Esq.
880 N Street
Suite 202
Anchorage, AK 99505

Transmission number: 907-274-8201

Confirmation number:

FROM: Scott Keep, Assistant Solicitor
Branch of Tribal Government & Alaska
Division of Indian Affairs
Office of the Solicitor, Mail Stop 6456
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240
(202) 208-6526 or 5311

NO. OF PAGES TO FOLLOW: _____

DATE/TIME:

NOTICE: The materials which follow this transmission notice are intended for the exclusive information and use of the addressee. They constitute confidential attorney work-product or confidential attorney-client communications. If you have received these materials through an error in transmission, please notify the sender and destroy your copy.

Transmission numbers: 202-219-1791 or 202-208-3490.

Verify Number: 202-208-6526